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4 **UNITED STATES DISTRICT COURT**
5 **NORTHERN DISTRICT OF CALIFORNIA**
6 **OAKLAND DIVISION**

7 EPIC GAMES, INC.,

8 *Plaintiff, Counter-defendant,*

9 v.
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11 APPLE INC.,

12 *Defendant, Counterclaimant.*

Case No. 4:20-cv-05640-YGR-TSH

**[PROPOSED] ORDER DENYING EPIC
GAMES, INC.'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL THE
JOINT DISCOVERY LETTER BRIEF
AND SUPPORTING EXHIBITS**

Judge: Hon. Magistrate Thomas S. Hixson

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28 **[PROPOSED] ORDER DENYING EPIC GAMES, INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL
THE JOINT DISCOVERY LETTER BRIEF AND SUPPORTING EXHIBITS**
Case Nos.: 4:20-cv-05640-YGR-TSH

1 This matter comes before the Court on Epic Games, Inc.'s ("Epic") Administrative
2 Motion to File Under Seal the Joint Discovery Letter Brief Regarding Epic's Requests For
3 Production Of Documents (the "Joint Discovery Letter Brief") and Supporting Exhibits 1-8
4 because certain materials used or discussed therein contain information designated by Defendant
5 Apple Inc. as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES
6 ONLY" under the protective order in the above-captioned action. (*Epic Games, Inc. v. Apple Inc.*,
7 No. 20-cv-05640-YGR-TSH, ECF No. 112.)

8 Upon consideration of the administrative motion to seal, the papers submitted in
9 support and in response thereto, the motion is DENIED.

10 Defendant has failed to carry its burden of establishing that the designated
11 information is sealable, and therefore this Court HEREBY ORDERS that the information be made
12 part of the public record. Accordingly, Epic shall publicly file the Joint Discovery Letter Brief
13 and Supporting Exhibits 1-8 lodged with the Court.

14 **IT IS SO ORDERED.**

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16 DATED:

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18 HONORABLE THOMAS S. HIXSON
19 UNITED STATES MAGISTRATE JUDGE
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